# CHRISTOPHER WAYNE LESTER RECORDS 14-A

STYLE OF CASE:

Michael W. Harris, et al.

VS.

Purdue Pharma L.P., et al.

CASE NO:

C-1-01-428

**PERTAIN TO:** 

Christopher Wayne Lester

FROM:

Tri-State NeuroScience Center, Inc.

2860 3rd Avenue, Suite 10 Huntington, WV 25702

(304) 525-6825

**DELIVER TO:** 

Mr. Phillip J. Smith

VORYS, SATER, SEYMOUR & PEASE, LLP

Atrium Two, Suite 2100 221 East Fourth Street Cincinnati, OH 45202

THE ENCLOSED DOCUMENTS CAN BE IDENTIFIED BY NUMBERS 500688171-0001 THROUGH 500688171-0022.

#### PANOS IGNATIADIS, M.D., INC. DIPLOMATE AMERICAN BOARD OF NEUROSURGERY

P 0 BOX 3107 2828 FIRST AVENUE, SUITE 400 HUNTINGTON, WEST VIRGINIA 25702-0107 TELEPHONE 525-8825 PUTNAM OFFICE 1-757-8691

#### MEDICAL HISTORY

Name Christopher W. hester	YES NO
Have you had an operation of any kind?	
,	
Do you have sugar diabetes?	X
Do you have high blood pressure?	X
Have you ever had tuberculosis?	
Do you have any other medical problems?	
Have you ever had heart trouble?	
Do you have problems with breathing?	X
Do you bleed easily?	X
Have you ever had liver disease?	
Are you allergic to any medicines?	
Do you take medication daily?	X
Dillibid 500 mg 12 hrs	

IF ANY OTHER EXPLANATIONS ARE NECESSARY — USE SPACE BELOW

9/19/95 Letter to Comp

WC-M11F Rev. 04-95

> Bureau of Employment Programs **Workers' Compensation Division** 4700 MacCorkle Avenue, S.E. Charleston, West Virginia 25304-1964

1434074

Gaston Caperton, Governor Andrew N. Richardson, Commissioner L21 952830833



10/11/95

PANOS IGNATIADIS MD 2828 FIRST AVENUE, SUITE 400 P.O. BOX 3107 **HUNTINGTON WV 25702-1283** 

RE: Claim No. 950006803 S. S. N. D. O. I. 08/10/94 CHRISTOPHER WAYNE LESTER PO BOX 21 HEWETT WV 25108

TRI-STATE HOME CENTER DANVILLE INC P-0-B0x-987-SPENCER WV

25276

Dear Sir/Madam:

WE ARE AUTHORIZING COMPREHENSIVE REHAB ASSOCIATES TO FOLLOW-UP ON THEIR 10/03/95 REPORT. AUTHORIZATION EXPIRES 06/30/95.

We ask that the rehabilitation consultant keep us informed of all developments in this case and submit reports at least monthly. Only services authorized in this letter may be provided. This authorization will become void if the services are not initiated within thirty (30) days from the date of this letter.

Any party to this claim may protest this decision. Protests must be filed in writing within thirty (30) days from receipt of this decision .with-the-Office-of-Judges,-P.O.-Box-2233,-Gharleston,-WV-25328=2233.-A copy of any such protest must also be served upon the Division addressed to Director, Legal Services Division, P.O. Box 3922, Charleston, WV 25339-3922, and a copy must also be sent to all other interested parties to this claim.

CHRISTOPHER WAYNE LESTER CRA TRI-STATE HOME CENTER PRABHOND CHINUNTDET MD

Workers' Compensation Division By: MARY HOFFMAN MA Rehabilitation Coordinator

#### September 19, 1995

Worker's Compensation Post Office Box 3151 Charleston, West Virginia 25332

RE: Christopher Wayne Lester Claim: 950006803 DOI: 8-10-94 Employer: Tri-State Home Center

Mr. Lester was seen here for a second opinion. He apparently works as a crew member for a mobile home company. He presents with a history that after lifting about 175 lbs., a 6 ft. 8 x 8 log, he developed back pain. He was found to have a small compression of T/11 with pain in that area. He has been off work since 8-10-94. He denies any injuries in the past. He has had no bladder, bowel, or sexual dysfunction. He has been through a work hardening program as well, and is currently in the process of going through a functional capacity assessment on 9-25-95 and rehabilitation.

He is 23 years of age, a high school graduate. He is 5'7" and weighs 260 lbs.

Examination: Sensorium and memory times three were intact.
Pupillary reaction was normal. Extraocular muscles were full. Facial sensation and movements were preserved. Hearing was normal. Voice was appropriate for gender. The palate was contracting symmetrically, and the tongue was protruding in the mid line. The strength of the deltoid, infra and supraspinatus, biceps, triceps, intrinsic muscles, iliopsoas, quadriceps femoris, biceps femoris, dorsiflexors of the toes and feet, and plantar flexion were graded 5 out of 5.

Page -2

RE: C. Lester 9-19-95

Sensation to all modalities as well as cerebellar testing were symmetric and equal. Reflexes at the biceps and triceps were 1+, at the knees and ankles 1+. There were no pathological reflexes. There was tenderness to percussion at the T/11 vertebra, and there was full motility on flexion, extension, and lateral rotation.

Xrays: I reviewed x-rays which indeed show evidence of a small compression of less than 10% of the anterior part of the T/11 vertebra which accounts for his symptoms, with concomitant paraspinous muscle sprain in that area.

Impression: It seems to me that he cannot return to his previous employment. He should go through a functional capacity assessment, and I do agree with the assessment of the independent examiner as far as percentage of disability. He is not a candidate for surgical intervention.

Thank you for asking me to see him.

CC: Jacquelen Cox

Sincerely,

Panos Ignatiadis, M.D.

PI/mas

WC-M544 Rev. 04-95 WC Bureau of Employment Programs Workers' Compensation Division 4700 MacCorkle Avenue, S.E. Charleston, West Virginia 25304-1964

243407-4

Gaston Caperton, Governor Andrew N. Richardson, Commissione



09/20/95

PANOS IGNATIADIS MD 2828 FIRST AVENUE, SUITE 400 P.O. BOX 3107 **HUNTINGTON WV 25702-1283** 

RE: Claim No. 950006803 5. S. N. 3340 D. O. I. 08/10/94 CHRISTOPHER WAYNE LESTER PO BOX 21 HEWETT WV 25108

TRI-STATE HOME CENTER DANVILLE INC P O BOX 987 SPENCER WV

25276

#### Dear Sir/Madam:

This claim came on again this day to be considered upon the entire record, particularly upon the Division's notice dated 08/10/95 informing the claimant the above-styled claim may be closed on a temporary total disability basis unless sufficient evidence was submitted within thirty (30) days of receipt of said notice justifying the continued payment of temporary total disability benefits. As it now appears that sufficient evidence to justify the payment of additional temporary total disability benefits has not been received, it is hereby ordered that this claim be closed on a temporary total disability basis.

Any party to this claim may protest this decision. Protests must be filed in writing within thirty (30) days from receipt of this decision with the Office-of-Judges, -P.O.-Box-2233, -Charleston, -WV-25328-2233. A copy of any such protest must also be served upon the Division addressed to Director, Legal Services Division, P.O. Box 3922, Charleston, WV 25339-3922, and a copy must also be sent to all other interested parties to this claim.

CC: CHRISTOPHER WAYNE LESTER TRI-STATE HOME CENTER PRABHOND CHINUNTDET MD

Workers' Compensation Division By: GREGORY HUGHES



August 31, 1995

Panos Ignatiadis, M.D. P.O. Box 3107 Huntington, WV 25702-0107

Christopher Lester SSN: 3340

SSN: DOI: 8/10/94

Dear Dr. Ignatiadis:

CRA has been asked by West Virginia Workers Compensation to provide services to Mr. Lester. I understand Mr. Lester has been scheduled for an evaluation with you on 9/19/95. We anticipate having an orthopedic evaluation report from Dr. Henry Kills prior to 9/19 and will forward a copy to you. Enclosed are records from Dr. Chinuntdet.

#### Could you please forward CRA a copy of your report?

If you have any questions regarding this letter, you are welcome to call me. Thank you for your opinion and anticipated cooperation in this case.

Sincerely,

Jacqueline Cox, M.Ed, CRC

Rehabilitation Specialist

JC/skq

cc: Mary Hoffman, Rehabilitation Coordinator, WVWCD Greg Hughes, Claims Manager, WVWCD

Enclosure: Consent Form

1207 QUARRIER STREET, SUITE 207, CHARLESTON, WV 25301, (304) 342-1020, FAX (304) 343-7853



#### PROPESSIONAL CONSENT

Christopher W. Lester **≥3340** DOB: 71 DOI: 8/10/94 CLAIM NO. 950006803

I authorize CRA Managed Care, Inc. to be permitted to:

- Review and obtain copies of all medical, psychiatric, hospital, vocational, and other records pertaining to this occupational injury or any prior related injury or disease.
- Discuss my case and obtain reports from physicians and allied health professionals providing treatment or evaluation due to this occupational injury or any prior related injury or disease.

I authorize physicians and allied health professionals to discuss my case with and provide written reports and records to CRA Managed Care, Inc. related to this occupational injury or any prior related injury or disease. This may include detailed information as to my condition, treatment plan, prognosis, and anticipated dates for maximum medical improvement and return to work.

I further give permission to CRA Managed Care, Inc. to share the information so received with my treating physicians, independent medical evaluators and West Virginia Workers Compensation.

A photocopy of this form may be accepted as the original.

This authorization is valid for 90 days from the date of signature.

1207 QUARRIER STREET, SUITE 207, CHARLESTON, WV 25301, (304) 342-1020, FAX (304) 343-7853

## Logan General Hospital

AUG 1 8 1995

Rehabilitation Services Department 20 Hospital Drive Logan, WV 25601 304-792-1526

Christopher Lester PO BOX 21 Hewett WV 254108 Claim No: 950006803 SSN: 3340 DOI: 8-10-94

Dear Mr. Lester,

. .

You have been referred to us for a Functional Capacity Evaluation. Your appointment is as follows:

DATE: September 25, 1995 . TIME: 1:00 pm

We are located on the first floor of the Kruger Medical Plaza. It is the 4-story building up the hill from the hospital just before you reach the Doctor's Park.

On your appointment date, please come 15 minutes early and go to the outpatient clinic on the left side of the first floor. At the appointment time, you will then be taken to our Functional Capacity Evaluation area, where Lisa Zielke, OTR-L will see you for your evaluation.

You should wear the following: Tennis shoes and socks Comfortable shorts or sweats T-shirt

You may arrive in street clothes, but please bring these testing clothes with you. We will provide a place to change.

The purpose of the Functional Capacity Evaluation is to do objective physical testing on work abilities. We will be looking at your activity in such areas as lifting, pushing, pulling, sitting and standing. There are 29 items, and the test takes a total time of approximately (2) hours. The testing will be done by a registered therapist, and only safe procedures will be used. The therapist will answer any specific questions you have about the testing. If you have any questions regarding the appointment time, location, or the test, please contact us. We look forward to seeing you for the Functional Capacity Evaluation.

cc: Mary Hoffman, Sr. Rehab Counselor Jack Cox

Dr. Chenuntdet

Sincerely,

THE PEOPLE of LOGAN GENERAL HOSPITAL

9-7-95 (dictation) risotopher Leater - papers Copied Yor Worker's Cong. Listarche

8-7-95

Christopher Lester

He continues to have some pain in his lower back. This has not changed. He said that he is on PT writing. He said that it helps him very little with writing and using his hand. At the same time he can do either hand or exercise with his bicycling alone. His finger to toe is 18 inches. His ankle and knee reflexes are equal. He still has little or no muscle spasm today. The worker from CRA manage care was also with him today. Will help facilitate for him to go for an evaluation at Logan to determine what type of work he can do. He is to continue his PT until he has the evaluation. He is to return in 4 weeks or sooner if needed for his pain medication, etc.

PC/rs

8-14-95 - copies made for pt. to take to Worker's Compensation. R. Starcher.

Prabhond Chinuntdet, M.D. 623 Madison Avenue Madison, WV 25130

> Re: Christopher Lester \$\$N: 233-15-3340 File: 950006803

6-9-95

Dr. Prabhond Chinuntdet 623 Modison Madison

Christopher Lester

He continues to complain of pain in his lower back, and knot on his Rt. Annee probabily and indurated area in the front of the patella area. He said his getting and authorization from Compensation to change doctors but he just he wants to have an examination by Dr Lomil but he doesn't need to change doctors for just 1 examination. His examination today showed moderate limitation of flexion and extension of lumbar spine. Continue PT. Return in 2 weeks.

PC/cr

6-26-95

Christopher Lester

He complain of back pain right and left knee and sometimes his leggs give out. He says Compensation wants us to refere him to a orthopedic surgeon and he should be getting and authorization soon, he has been under going a work hardening program, he says its not going very well. His fingers and toes are about 12 inche, his lower extremitles reflexs are normal and equal. He is to continue his work hardening program. Return in 2 weeks. Possibly to return to work in 2 to 4 weeks.

PC/th 7-10-95

Christopher Lester

He came in for follow up of back injury. He has a compression fracture of the T-11 from an old injury. He has been coming to office since 1994, from an injury at work. He has been having back pain and pain in his knee, this other injury is not associated with his back. However he continues to complain of his knee giving out. We discussed about him going back to work and he said he may not have a job any more with the present employer. He said Compensation is going to send him to a rehabilitation program to train him for another job, his appointment for rehabilitation is later this month. He claims that Compensation wants me to send him to a orthopedic surgen again. General condition has not changed and has not improved or deteriorated. I persume he is doing as well as he can. His compression fracture has healed. He should be ready for disablity rating, also to go back to work if he has a job or can be rehabilitated or trained for another job. Please send a copy to Compensation.

PC/th

7/12/95 Sent out copy of office notes on 7-10-95

7/11/95 Sent Mit Atlandices Obinicinia Parat la nomo.

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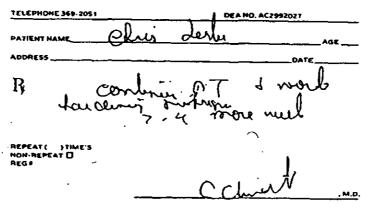
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Boone Memorial Hospital

#### BOONE MEMÓRIAL HÓSPITAL 701 MADISON AVENUE MADISON, WV 25130

Christopher Lester, white male, age 23, diagnosis SUBJECTIVE: of compression fracture TII and also low back pain, degenerative disc. Patient states he is having constant dull ache pain in low back, thoracic spine region, and also down into right leg. Burning is noted in the low back and also tingling and numbness in right leg. When right leg becomes numb, leg gives out periodically. Patient states pain is located along the lower Tspine region and also lower lumbar spine region. Pain level is 8/10. Patient states his pain has been the same since the injury. Patient states the positions that cause the most pain are any positions that he remains in for long time. Mornings and late evenings are the worse time for pain. Patient states pain has moved from original area in low back and has traveled down right lower extremity.

History: Patient on 8/10/94 was carrying approximately 150 Ib footer and he twisted left ankle and fell on his right hip. Footer bounced on his shoulder a few times. Patient went to the ER receiving x-rays noting T11 compression fracture. Patient was recommended to have complete bedrest until 12/2/94. He wore a back brace and also walked with a cane periodically. Patient is in chronic stage of pain.

Medications: Darvocet, approximately 2-3 per day.

Patient sets up mobile homes requiring Social History: He is currently off work due to this lifting and carrying. injury.

high blood Past medical history: Patient denies any Patient also pressure, diabetes, history of surgery or cancer. denies any similar problems with lumbar spine or thoracic spine.

#### OBJECTIVE:

Patient has decreased sensation along the Sensation: right thoracic spine approximately from T8 to L2 to Jight touch.

Reflexes: Lower extremities equal bilaterally.

( }

#### BOONE MEMORIAL HOSPITAL 701 MADISON AVENUE MADISON, WV 25130

PT EVALUATION

RE: Christopher Lester

Page two

Range of Motion: Sitting SLR negative bilaterally, full range of motion. Trunk ROM - flexion 20 degrees, positive pain; extension 10 degrees, positive pain.

Strength: Knee flexion on right is 3+/5, positive pain; left 5/5, negative. Knee extension 3/5 on right, positive pain; left 4/5, negative. Positive mid back pain. Dorsiflexion 4+/5 bilaterally, positive low back pain.

Palpation: Patient has increased muscle tenderness along right thoracic spine region extending from T8 to approximately U2. Lumbar spine pain also noted on right musculature and into right SI joint and gluteal. Increased muscle tone noted with multiple trigger points.

PLEASE NOTE: Was unable to complete thorough exam due to patient's complaint of pain with all tests and movements. Will regain and attempt to complete the evaluation through treatments.

#### ASSESSMENT:

Problem List: Increased pain, decreased ROM of lumbar spine, decreased strength, increased muscle tone and trigger points.

#### Long Term Goals:

- Patient's pain will decrease by 90%.
- Patient's trunk range of motion will be WNL.
- 3. Patient's strength will increase to 5/5 for lower extremity.
- Patient will return to functional activities.

#### Short Term Goals:

- 1. Patient's pain will decrease by 50%.
- Patient will be independent with exercise program.

**BOONE MEMORIAL HOSPITAL** 701 MADISON AVENUE MADISON, WV 25130

PT EVALUATION

RE: Christopher Lester

Page three

- Patient will increase range of motion by 50%.
- Patient will increase strength by 50% of right lower extremity.

Patient will receive moist heat to the lumbar TREATMENT PLAN: spine region and thoracic spine region, electrical stim and ultrasound to lumbar spine region, massage to T-spine and L-spine region, and also an exercise program.

Thanks for your referral.

EJ:jo

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WC-M541D Rev. 10-08-92 WC6

> Bureau of Employment Programs **Workers' Compensation Division** 4700 MacCorkle Avenue, S.E. Charleston, West Virginia 25304-1964

Andrew N. Richardson, Com

Filed 09/17/2003

C20 952280951



08/17/95

PANOS IGNATIADIS MD 2828 FIRST AVENUE, SUITE 400 P.O. BOX 3107 HUNTINGTON WV 25702-1283

RB: Claim No. 950006803 3340 S. S. N. 08/10/94 D. O. I. CHRISTOPHER WAYNE LESTER PO BOX 21 HEWETT WV 25108

TRI-STATE HOME CENTER DANVILLE INC P O BOX 987 SPENCER WV

25276

Dear Sir/Madam:

The Attending Physician's Report (WC219) dated 08/10/95 cannot be used as a basis for paying temporary total disability benefits as: TTD BENEFITS WERE SUSPENDED BY LETTER DATED AUGUST 10, 1995. FURTHER CONSIDERATION WILL BE GIVEN TO REINSTATING TTD BENEFITS UPON RECEIPT OF THE REPORTS FROM DR. PANOS IGNATIADIS AND DR. HENRY HILLS.

This is official notice that payment of benefits will be suspended unless we receive sufficient updated medical evidence to warrant further adjustment of temporary total disability benefits.

CC: CHRISTOPHER WAYNE LESTER TRI-STATE HOME CENTER PRABHOND CHINUNTDET MD

Workers' Compensation Division By: GREGORY HUGHES

WC-M11 Rev. 04-95 WC6

> Bureau of Employment Programs Workers' Compensation Division 4700 MacCorkle Avenue, S.E. Charleston, West Virginia 25304-1964

Gaston Caperton, Governor
Andrew N. Richardson, Commissione

C01 952270957



08/16/95

PANOS IGNATIADIS MD 2828 FIRST AVENUE, SUITÉ 400 P.O. BOX 3107 HUNTINGTON WV 25702-1283

HUNTINGTON WV 25702-1283
TRI-STATE HOME CENTER

DANVILLE INC POBOX 987 SPENCER WV

25276

RE: Claim No. 950006803 S. S. N. 3340 D. O. I. 08/10/94 Auth. No. 952270957 CHRISTOPHER WAYNE LESTER PO BOX 21 HEWETT WV 25108

Dear Sir/Madam:

PER THE CLAIMANT'S AUGUST 15, 1995 TELEPHONE REQUEST, THIS LETTER WILL SERVE AS AUTHORIZATION FOR A ONE-TIME CONSULTATION WITH DR. PANOS IGNATIADIS FOR THE LOW BACK INJURY. DR. IGNATIADIS: PLEASE PROVIDE A DETAILED MEDICAL REPORT GIVING YOUR RECOMMENDATIONS FOR FUTURE TREATMENT. PLEASE CONTACT: GREG HUGHES, TELEPHONE \$926-5264 IF ANY ASSISTANCE IS NEEDED.

This authorization will become void if the services are not carried out within ninety (90) days of the date of this letter.

Should it later be determined the services herein authorized are not reasonably related to the claimant's compensable injury or if the claimant's application for compensation is later rejected by this Agency, payment of medical benefits will be subject to recovery.

Any-party to this claim may-protest this decision. Protests must be tiled in writing within thirty (30) days from receipt of this decision with the Office of Judges, P.O. Box 2233, Charleston, WV 25328-2233. A copy of any such protest must also be served upon the Division addressed to Director, Legal Services Division, P.O. Box 3922, Charleston, WV 25339-3922, and a copy must also be sent to all other interested parties to this claim.

CC: CHRISTOPHER WAYNE LESTER TRI-STATE HOME CENTER PRABHOND CHINUNTDET MD

Workers' Compensation Division By: GREGORY HUGHES WC-MAIP Rev. 04-95

> Bureau of Employment Programs **Workers' Compensation Division** 4700 MacCorkle Avenue, S.E. Charleston, West Virginia 25304-1964

Gaston Caperton, Governor Andrew N. Richardson, Commissione

L21 952271101

08/16/95

PANOS IGNATIADIS MD 2828 FIRST AVENUE, SUITE 400 P.O. BOX 3107 HUNTINGTON WV 25702-1283

RE: Claim No. 950006803 3340 S. S. N. 08/10/94 D. O. I. CHRISTOPHER WAYNE LESTER PO BOX 21 HEWETT WV 25108

TRI-STATE HOME CENTER DANVILLE INC P O BOX 987 SPENCER WV

25276

Dear Sir/Madam:

WE ARE AUTHORIZING COMPREHENSIVE REHAB ASSOCIATES TO FOLLOW UP ON THEIR 8/10/95 REPORT, HOWEVER CRA IS ADVISED TO CONTACT TEAM 9 BOONE COUNTY, FOR FCE AND IME EVALUATIONS, BEFORE BOONE CO TEAM CAN ESTABLISH THE NEED FOR FUTHER REHAB SERVICES. AUTHORIZATION EXPIRES 10/30/95. THIS CASE WILL NOT BE EXTENDED FOR CRA, IF CLAIMANT REMAINS MEDICALLY UNSTABLE ON 10/30/95.

We ask that the rehabilitation consultant keep us informed of all developments in this case and submit reports at least monthly. Only services authorized in this letter may be provided. This authorization will become void if the services are not initiated within thirty (30) days from the date of this letter.

Any party to this claim may protest this decision. Protests must be filed in writing within thirty (30) days from receipt of this decision with the Office of Judges, P.O. Box 2233, Charleston, WV 25328-2233. A copy of any such protest must also be served upon the Division addressed to Director, Legal Services Division, P.O. Box 3922, Charleston, WV 25339-3922, and a copy must also be sent to all other interested parties to this claim.

CHRISTOPHER WAYNE LESTER CRA TRI-STATE HOME CENTER PRABHOND CHINUNTDET MD

Workers' Compensation Division By: MARY HOFFMAN MA Rehabilitation Coordinator STYLE OF CASE:

Michael W. Harris, et al.

VS.

Purdue Pharma L.P., et al.

CASE NO:

C-1-01-428

**PERTAIN TO:** 

Christopher Wayne Lester

FROM:

Henry M. Hills, Jr., M.D. 264 Baker Lane, Suite 2115 Charleston; WV 25302

(304) 342-5364

**DELIVER TO:** 

Mr. Phillip J. Smith

VORYS, SATER, SEYMOUR & PEASE, LLP

Atrium Two, Suite 2100 221 East Fourth Street Cincinnati, OH 45202

THE ENCLOSED DOCUMENTS CAN BE IDENTIFIED BY NUMBERS 500688076-0001 THROUGH 500688076-0011.

Case No. C-1-01-428

Michael W. Harris

: Southern District Court

VS.

: County of Hamilton

Purdue Pharma L.P., et al

: State of Ohio

Records pertaining to: Christopher Wayne Lester

Custodian of Records For: Henry M. Hills, Jr., M.D.

I have conducted a thorough search of our files for the requested records, including but not limited to: patient intake forms and health questionnaires, and/or consent forms, and/or physical examination records, and/or x-rays, and/or pathology slides and/or blocks, and/or all nurses notes and physicians notes, and/or treatment records and reports, and/or prescription records, and/or third-party consultation records, and/or records of treatment at hospitals and other health care providers, and/or test results from outside laboratories, and/or itemized billing records, and/or insurance claims forms, and or personnel records and/or payroll records, and/or academic records, and/or correspondence.

I certify that nothing has been removed from the original file before releasing copies of these records or the originals. The records I am releasing are the original records or exact duplicates of the original records and include each and every record contained in the file on the above-named individual.

WITNESS

8-29-03

DATE

#### H. M. HILLS, JR., M.D. N.A.D.E.P. ---- A.A.O.S. UNION SQUARE - 1 MONONGALIA CHARLESTON, WV 25302

Phone: 343-5144

Date: <u>1/5/95</u>	,	Payme	nt Cla	ssification	
NAME:	CHRISTOPHER WAYNE LESTER	COMP:	CL#:	95 0006803	<del></del>
	P.O. BOX 21	div.	DOI:	08/10/94	
City & State: Telephone:	HEWETT, WV 25108 369 2432 (369 3610) TRI-STATE MOBILE HOMES	UMW: OTHER	SS#: FILE#	:	
	FOR:				

8/24/95 Comp Exam - see letter to Comp -10% PPD - radiculapathy-sciatic irritation HMH/tlc/ bmd

FAX: 1-708-251-9240

## LOW BACK PAIN

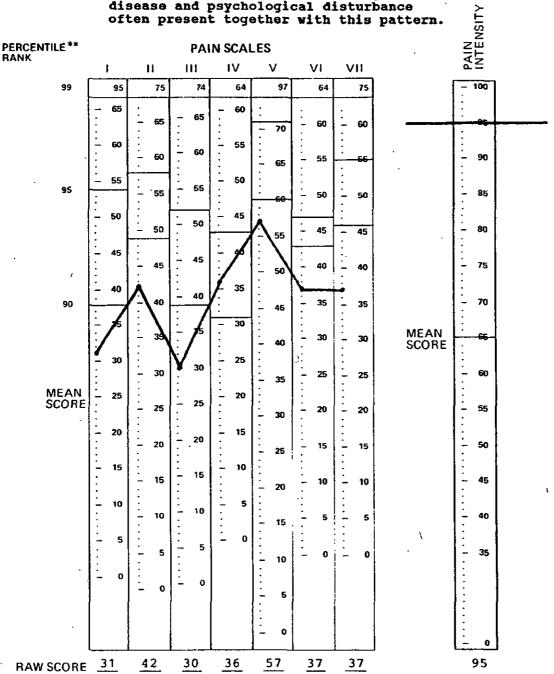
## SYMPTOM CHECK LIST

FOR PHYSICIAN USE:
Physician's Name H. W. W. W. W. MD
Address CHARLESTON, WV 25302
Diagnostic Impression
FOR PATIENT USE: Patient's Name Lester Christopher W Age 23 Sex M  (Print: Last, First Middle Initial)
Date 1-5-95 Highest Grade Completed in School 12 Race White Occupation: 5et Orew - Mobile Homes
How long have you had LOW BACK PAIN? 8-10-94
Are you WORKING? (Check ONE)
☐/Not Working ☐ Working Now
Does your job involve MANUAL LABOR? (Check ONE)
☐ None ☐ Minimal ☐ Moderate ☐☐Heavy
Were you INJURED? (Check ONE)
☑ At work  ☐ In accident — NOT work related  ☐ NOT injured
TIME OFF WORK: Fill in below Days OFF
IF NO DAY OFF WORKCHECK BOX HERE
Is this a WORKMENS COMPENSATION CASE?
IS LITIGATION PENDING?   YES   NO   NOT APPLICABLE
Have you had a BACK OPERATION? ☐ YES © NO
If Yes, how many?
Have you tried to RETURN TO WORK? ☐ YES ☐ NO ☐ NOT APPLICABLE
If YES,
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INTENSITY RATING
We need a more accurate idea of how severe your pain is. On a scale of 0 to 100, in which 0 is no pain at all, and 100 is the most severe pain that you can possibly imagine, what number would you give your average pain over the last few days? What is your average pain these days?
G.S.
Please estimate your psin and place your answer here:

#### LOW BACK PAIN EVALUATION PROFILE

PATIENT'S NAME	LESTER, CHRISTOPHER :
DATE	JAN. 5, 1995
PHYSICIAN	H. M. HILLS JR. M.D.

Mixed psychogenic pain score. Organic disease and psychological disturbance often present together with this pattern.



PROBABILITY OF A SIGNIFICANT EMOTIONAL COMPONENT:

☐ LOW

□ INDETERMINATE

#### H. M. Hills, Jr. M.D.

American
Academy
Disability
Evaluating
Physicians

Orthopedic Surgeon F.A.C.S. - A.A.O.S. Union Square - 1 Monongalia Charleston, WV 25302-2376 (304) 343-5144 FAX# 343-1738

Mational
Association
Disability
Evaluating
Professionals

1/5/95

State of West Virginia Workers' Compensation Fund 601 Morris St. Charleston, WV 25301

Att: YA

Dear YA:

This patient was examined on 1/5/95 at your request.

History was obtained of his having been injured on 8/10/94 when he turned his left ankle over and fell in a hole and had with that a low back injury and he also had pain in the left ankle.

He was seen at Boone Memorial Hospital. X-rays were taken showing compression fracture of Dll. He was treated with conservative treatment and a hyperextension back brace. X-rays of the ankle were negative. The patient is still wearing his back brace when outside doing activities or when riding in a car. He is still seeing Dr. Chinuntdet at intervals.

According to the reports and to the patient there were several fractures of the lower dorsal and the upper lumbar spine (exact number could not be determined from the notes sent to me).

PAST MEDICAL HISTORY: No surgery or admissions.

REVIEW of SYSTEMS: Eyes negative. The ears, nose and throat show earaches and he has a lot of nasal stuffiness and the respiratory system is negative. He has no precordial pain but has pain in the epigastric area, no shortness of breath or high blood pressure. The GI system shows a lot of indigestion and heartburn and he has some diarrhea. The GU system shows frequency and he has to get up at night, to void, usually 2-3 times a night. The patient has difficulty controlling urine on heavy coughing and/or sneezing.

In general, he worries a lot about his health and usually feels tired and worn out and he is depressed a lot of the time.

Workers' Compensation Fund

-2-

Re: Christopher Lester

PERSONAL HABITS: No tobacco or alcohol; drinks 1-2 cups of coffee a day. He is taking mild pain relievers - over-the-counter type, as needed, particularly Tylenol. Takes Darvocet N100 occasionally.

FAMILY HISTORY: Parents well at this time .. father has had a heart attack in the past with open heart surgery; three sisters and one brother active. The grandparents are deceased but he does not know the cause of their deaths.

WORK HISTORY: Graduated from high school and started working in a lumber yard for about four months; then went to Ohio and worked as an electrical lineman for six months; then went into timbering for about three months; then worked in NC in a lumber yard for about six months; then at Tri-State Mobile Homes until the injury of 8/10/94 and has had no work since then.

He is to start on physical therapy and exercises in the near future.

CHIEF COMPLAINTS: (1) pain in the mid and low back areas (2) sudden sharp pain in the epigastric area with twisting or turning (3) pain referral from the back down to the calf area on the right leg (4) numbness in the right leg, off and on (5) stiffness in the back (6) with the weakness in the right leg he has fallen on several occasions and as result uses a cane. The patient has had some difficulty controlling his bladder, not so much with the bowels, but soils himself with the loss of urine occasionally.

PHYSICAL EXAMINATION: This patient is 5' 7 1/2" tall weighing 255 pounds with his clothes on. Examination shows the patient walking slowly and cautiously protecting his back. He has pain with weight bearing on the right leg, particularly so with walking on toes or heels and then he has pain extending down the entire right lower extremity; worse with walking on the toes than with the heels but bothers with both.

Likewise, he is able to do a partial deep knee bend (approx. 40% of normal) and then has to stop because of pain in the low back and mid back as well.

Examination of the back shows the patient standing with good posture. The pelvis is level and the spine straight. He is much too heavy. He has marked tenderness at the dorsal-lumbar junction and has tenderness also at the lumbosacral joint area, no bony deformity palpated or muscle spasm however. He has forward flexion of 40° with 15° of that occurring through the pelvis and hips and the remainder through the spine itself. He has hyperextension of 20° with pain in the mid and low back area. He has side bending (R) and (L) of 20° with pain in the low back. Straight leg raising test is 45° on the (R) with positive Lasegue's test in that it causes some pain from the low back into the right buttocks but not down the leg. He has straight leg raising on the (L) of 60° with pain also in the mid back on testing. Various sacroiliac tests are markedly positive on the (R) and moderately positive on the (L). He has flexion of the right hip only to 80° with pain in the back area and of the left hip to 120° before distress. Reflexes are intact to the lower extremities. Circulation is good with pulsations present.

Workers' Compensation Fund

-3-

Re: Christopher Lester

The patient has good power of dorsiflexion of the great toes; however, dorsiflexion of the great toe on the (R) causes pain in the right leg. He has some diminution to pin prick sensation over the dorsum of the right foot, not completely absent, but diminished.

Length of lower extremities - measuring from the umbilicus to the internal 38 7/8" bilaterally. Circumference of calves: 18" (R) and malleolus: 17 3/4" (L).

Examination of the left ankle shows swelling at this time. He has some tenderness over the lateral ligament of the ankle. Has relatively good range of motion of the ankle but without particular pain or distress but the ankle feels weak to him at times and creels over easily. The patient denies having trouble with his low back prior to this particular injury of 8/10/94.

X-RAYS: (taken at Boone Memorial Hospital reviewed) - there is minimal compression fracture of the body of Dll and progresive films were taken up to good firm union of the vertebal body with minimal compression.

X-rays taken also fo the lumbosacral spine (obliques) show no evidence of bonr or joint pathology, no fracture. The disc spaces are normal. There is no evidence of defect in the neural arches and the sacroiliac joints are open.

X-rays were then taken of the ankle (today) showing lateral ligament damage to the left ankle and ap., lat., and obls. show no evidence of fracture or dislocation and inversion stress views normal showing good strength of the lateral ligament of the ankle.

A low back pain evaluation profile was run on this patient showing a mixed psychogenic pain score, organic disease and psychological disturbance often present together with this pattern. He has a relatively high emotional component.

OPINION: This patient has not reached maximum degree of recovery. He is making progress. He needs to get rid of the brace and start on an exercise program for his back to build up the muscle strength in the back and in the trunk muscles. He is much too heavy. He is overweight by about 60-75 pounds and it would help considerably if he would lose a good 50 pounds and he would improve faster. He has solid, firm union of the fracture and the only thing that is bothering him now is the pulling on the scar tissue where he had the fracture and he needs to execise and stretch that to get to functioning again.

I would say that he needs a good strong physical therapy back program to get functioning again and into the work force. I don't think he will be ready for a PPD rating for 4-6 months.

HMH/er

xc: patient, employer, Dr. Soulsby

500688.076.0006

Yours Sincerely, // H. M. Hills, Jr., M.D

# SERVICES INVOICE



Workers' Compensation Fund

				_
•	(K)		Dental	
	(N)		Nursing Home	
	(P)	ď	Practitioner	
	(R)	Ŏ	Vocational Rehabilitation	
.RG	(V)		Other Medical Vendor	

P.O. Box 3151, Charleston, WV 25332 wc-400 Rev	v. 12-89 (V)   Other Medical Vendor			
CLAIMANT NAME (Last, First, and Middle Names)     CLAIMANT ADDRESS	(Street or PO Box, City, State, and Zip Code)			
Lester Christopher P.O. Bx 21	- Newett, W.V. 25108			
3. EMPLOYER BUSINESS NAME 4. EMPLOYER MAILING ADDRESS 6. Comp				
s. CLAIMANT SOCIAL SECURITY NO. 6. DATE OF INJURY 08.10-9	7. CLAIM NO. 95 UD U 680 3			
8. REFERRING PHYSICIAN'S PROVIDER NO. 9. REFERRING PHYSICIAN'S NAME	10. DATE CLAIMANT FIRST CONSULTED PROVIDER FOR THIS CONDITION			
<u>:</u>				
11. DIAGNOSIS CODE (ICD-9-CM) DESCRIPTION				
1. 2.				
12. PRIOR AUTHORIZATION NO. 13. IF EMERGENCY CHECK 14. PATIENT ACCOUNT NO HERE	). 15. PROVIDER NO.			
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27. As provided by statute, this late cartify that the services were rendered as outlined above and that no other or edditional charge for such treatment, appliance, or service has been or will be made egainst any person, firm, or corporation.	TAL CHARGE 29. AMOUNT PAID 30. BALANCE DUE 327.00			
11.11.1 (ab) \n.110.01-00/3	OVIDER NAME, ADDRESS AND TELEPHONE NO.			
PROVIDER OR CLAIMANT SIGNATURE DATE  31. REMARKS	THE LE SE M. D.			
	COLLEGE - MUNUNGALIA			
	CHARLESTON, W.V. 25302 (304)343-5144			
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#### H. M. Hills, Jr. M.D.

**FELLOW** 

American Academy Disability Evaluating Physicians August 24, 1995

Orthopedic Surgeon F.A.C.S. - A.A.O.S. Union Square - 1 Monongalia Charleston, WV 25302-2309 (304) 343-5144 FAX# 343-1738

**FELLOW** <u>N</u>ational Association Disability Evaluating **Professionals** 

Bureau of Employment Programs Workers Compensation Division 4700 MacCorkle Avenue, S.E. Charleston, WV 25304-1964

Attn: Gregory Hughes

RE: Christopher Wayne Lester

CL#: 950006803 ss#: \_\_\_\_\_\_3340 DOI: 08/10/94

Dear Mr. Hughes:

The above captioned patient was reexamined on August 24, 1995. He was previously seen and report rendered dated January 5, 1995.

This patient initially was injured August 10, 1994 when he turned his left ankle and fell"into a hole injuring his back and left ankle. was seen in the emergency room at Boone Memorial Hospital by Dr. Chinuntdet. X-rays showed a compression fracture of D11 and the left ankle x-ray was negative.

He was fitted with a brace and followed by Dr. Chinuntdet. There was some question of several fractures in the lower dorsal and upper lumbar spine according to the patient, however, only a report of the fractured body of D11.

X-rays taken at the time I saw him on January 5, 1995 showed a minimal compression fracture of the body of Dll with good firm union. When I saw this patient he had not reached his maximum degree of recovery and was still temporarily totally disabled and was to leave the brace off and to start on an exercise and stretching program for his back muscles. He was much too heavy. He had solid union of the fracture and needed to loosen up the scar tissue and needed a good back program.

Since that time he had gone to physical therapy and had some flare-up with activity. He has not been able to get any light work and has not returned to work at this time.

PAST MEDICAL HISTORY: Given in previous report and will not be repeated here at this time.

Gregory Hughes

-2-

Re: Christopher W. Lester

CHIEF COMPLAINTS: 1) pain in the mid and low back area; 2) sudden sharp pain in the epigastric region with twisting or turning; 3) pain referral from the back down to the calf area on the (R) leg; 4) numbness in the (R) leg off and on; 5) stiffness in the back; 6) weakness in the (R) leg and has fallen on several occasions; when seen before he was using a cane but he is going without the cane at the present time and has a little better walking ability; 7) difficulty controlling his bladder and soils himself occasionally.

PHYSICAL BXAMINATION: The patient stands 5' 7 1/2" tall and weighs 266 pounds with clothes on. He walks with a slow but equal gait. He has the power to walk on his toes and heels but it causes pain in the (R) low back; worse with walking on the toes than heels but present with both. He is able to do a partial deep knee bend approximately 40% of normal then has to stop because of pain in the low back area.

Examination of the back shows the patient standing with good posture, pelvis is level, and the spine straight. He has some tenderness over the lumbosacral joint area and to the (R) side of that and pain in the dorsal lumbar junction. No bony deformity or muscle spasm is noted.

He has forward flexion of 50 degrees with 25 degrees of that occurring through the pelvis and hips and remainder through the spine itself. He has hyperextension of 25 degrees with pain in the lumbosacral joint region. He has side bending right and left of 20 degrees with pain in the lumbosacral joint region.

Compression of the head and neck and elevation of arms over the head causes pain in the low back area which is non-organic. Straight leg raising test is 60 degrees on the (R) with negative Lasegue's but it causes pain in the low back area. Straight leg raising test is 70 degrees on the (L) with negative Lasegue's and again pain in the low back region.

He has moderately positive sacroiliac tests and moderately positive lumbosacral tests. He can flex his knees to just about 95 degrees on the (R) and 100 degrees on the (L). He had a moderately positive Lasegue's test on the (R); I felt at first it was a muscle tightness but I believe he is having actually some sciatic irritation.

Reflexes and sensation are intact to the lower extremities. Circulation is good with pulsations present. He has good power of dorsiflexion of great toes. He has some sensory loss of the (R) great toe area and the medial side of the foot and the medial side of the ·leg up to knee level. Pin-prick comes through on the lateral side but is diminished over that of the (L) leg.

Length of lower extremities measuring from the umbilious to the internal malleolus:

38 3/4" bilaterally

Circumference of calves: 18 1/4" bilaterally

### CHARLESTON AREA MEDICAL CENTER

Department of Medical Imaging GENERAL DIVISION 501 Morris Street Charleston, WV 25301 (304) 348-6044

NAME: LESTER, CHRISTOPH W

MRN:00301467

DOB: 71 00:00

Patient type: OP

PT. LOCATION:

SEX:M

Req. Phys: HILLS, HENRY M JR

HENRY M. HILLS, M.D. COLUMBIA & MONONGALIA CHARLESTON, WV 25302

Order: 9034

Result: 5723 Addendum: 0

Order Date/Time: 08/24/95 15:10

Requesting Service: GENERAL REFERRED OUTPATIENT

Reason: WITH SPOT OF D11

PELVIS

ΑP

#### LUMBAR SPINE ROUT AP, LAT, OBL

Examination of the lumbar spine reveals the vertebral body heights and disc spaces to be well maintained. Pedicles and spinous processes are intact. Soft tissues are unremarkable.

#### IMPRESSION:

Normal lumbar spine.

#### PELVIS

A single AP view of the pelvis reveals the bony structures to be intact. There is no evidence of fracture.

#### **IMPRESSION**

NORMAL PELVIS.

Dictated by: MARY H. MCJUNKIN, M.D.

- Verified by: MARY H. MCJUNKIN, M.D. 08/24/95

Trans: PM2 08/24/95

RADIOLOGY REPORT VERIFIED

1

Gregory Hughes

-3-

Re: Christopher W. Lester

With the patient sitting and dangling his legs he can have his knees extended fully but it causes pulling and hurting in the low back in doing so; worse with the (R) leg than the (L).

X-RAYS: Please see the report dated 8/24/95 from Charleston Area Medical Center.

OPINION: This patient does have evidence of radicularathy with loss of sensation to the right lower extremity. There is evidence of sciatic irritation. This qualifies this patient for DRE III or 10% permanent partial disability. This, as always, according to AMA guidlines, Fourth Edition.

Yours Sincerely,

H.M. Hills Jr. M.D.

ADDENDUM: X-rays of the right knee taken in our office show no evidence of any pathology.

STYLE OF CASE:

Michael W. Harris, et al.

VS.

Purdue Pharma L.P., et al.

**CASE NO:** 

C-1-01-428

**PERTAIN TO:** 

**Christopher Wayne Lester** 

FROM:

Corporate Health Services 14186 MacCorkle Avenue SW

Charleston, WV 25303 (304) 388-1307

**DELIVER TO:** 

Mr. Phillip J. Smith

VORYS, SATER, SEYMOUR & PEASE, LLP

Atrium Two, Suite 2100 221 East Fourth Street Cincinnati, OH 45202

THE ENCLOSED DOCUMENTS CAN BE IDENTIFIED BY NUMBERS 500688085-0050 THROUGH 500688085-0056.

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3. Unable to Work		
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CHS-0002 Rev. 1-99

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CORPORATE HEALTH SERVE AFFILIATION WITH CA Charlesto Medical		NAME: SOCIAL SEC EMPLOYER: DATE:	1) + HITY #:

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EMPLOYER:	)+m-	Truckey	L'arr
DATE: 3	<u> </u>		

# **RETURN TO WORK GUIDELINES**

If the Employer is unable to provide the worker with the limited duty indicated, the worker should be placed off duty until the next scheduled physician's appointment.

DATE: 3 22 00 DATE OF INJURY: 3.10.00
WORK STATUS:  1. Full Duty
3. Unable to Work <u> 3・22・00</u>
NEXT PHYSICIAN APPOINTMENT: May 9 9:00 cm
RELEASE FROM TREATMENT:
Diagnosis:  1. Closed Head new Concuston. Convent Hours  2. Description plant  3. Chest wall continuous.
COMMENTS:
TIME IN: 220pm  TIME OUT: 15 30  PHYSICIAN'S SIGNATURE  DATE
Occupational Medicine • (304) 348-1000 • 1418C MacCorkle Ave., SW • Charleston, WV 25303

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CORPORATE	NAME: Chois topher W. Lester
HEALTH SERVICES	SOCIAL SECURITY #: 3340
FILMIED WITH	EMPLOYER: D+ M Trucking Corporat
Charleston Area MC Medical Center	DATE: 3-14:00
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	the worker with the limited duty indicated, the worker ext scheduled physician's appointment.
ATE: 3- 14-00	DATE OF INJURY:
ORK STATUS:	
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CORPORATE HEALTH SERVICES  APPLIATED WITH CATTURE Charleston Are Medical Center	ea	SOCIAL SECTION	_	Lycup. I.
RETURN TO WO	RK GUID	ELINES	•	
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7

### REFERRAL FORM

Referral to:	4616-13	i idional						
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Referring Diagnosis:					. —	_ Onset:		
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		Mobility		•				
			NWB	PWB	FW8			١
Date to Return to Ph	ysician:			Do	te to Return	to Work:	<del></del>	
•	<u>.</u>	<i>i</i>	/				<i>i</i> ,	
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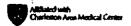


\*

1418-C MacCorkle Avenue, SW Charleston, West Virginia 25303 (304) 348-1000

### REFERRAL FORM

Patient Name:		•				~ .		
Primary Diagnosis: Referring Diagnosis:	<u></u>			hase		. Onset:		· · · · · · · · · · · · · · · · · · ·
Referring Diagnosis:						Onset:		
X-ray or Special Tes	Findings:_		<u></u>	<del></del>			·	
Special Instructions/	Precautions:	·					<del></del>	
Frequency/Duration	/Or as Indi	cated by I	PT Evaluatio	on;	<u> </u>	<del></del>		
Treatment Goals:	Improve					Decrease		
		_ Strength	1		•		Pain	
		_ Endurar	nce				Swelling	
		_ Range o	of Motion	•			Paresthesia	
		_ Coordir						
• ,		_ Mobility				-		
		Gait:	NWB	РWВ	FWB	<i></i>		•••
Date to Return to Ph	ysician:		<del></del>	Da	te to Return	to Work:	·	<del>_</del>
							•	1
Physician Signature		1 ,	7			Date:	3/27	100
		100	1					



CHS-0011 Ray, 2-96



Michael W. Harris, et al. STYLE OF CASE:

VS.

Purdue Pharma L.P., et al.

**CASE NO:** C-1-01-428

**PERTAIN TO:** Christopher Wayne Lester

> Luis Alberto Loimil, M.D. FROM:

> > 3510 MacCorkle Avenue SE Charleston, WV 25304

(304) 925-6961

**DELIVER TO:** Mr. Phillip J. Smith

VORYS, SATER, SEYMOUR & PEASE, LLP

Atrium Two, Suite 2100 221 East Fourth Street Cincinnati, OH 45202

THE ENCLOSED DOCUMENTS CAN BE IDENTIFIED BY NUMBERS 500688018-0001 THROUGH 500688018-0005.

## VALLEY ORTHOPAEDIC SURGEONS, P.L.L.C.

LUIS A. LOIMIL, M.D.

FID: 311568166

3510 MacCorkle Ave., S.E. Charleston, WV 25304

(304) 925-6961 FAX (304) 925-2619

MAME	LESTER, Christopher W.	AGE 28 SEX M DOB 71
ADORESS	P.O. Box 1113	ss
_	Danville WV 25053	MARITAL STATUS M SPOUSE'S NAME April
PHONE	(304) 369-6657	DOI 03/10/2000
RESPONSIBL	Christopher W.	INSURANCE WV Workers' Comp 2000046841
	D&M Trucking	
	Ø)	REFERRED BY John M. Snyder, D.O./Workers' Comp
EMPLOYER'S	ADDRESS & PHONE #	
		_Ox(L) SHOULDER - Rotator cuff injury

10/17/2000 - Office

C. COMPLAINT:

One time consultation per the request of John M. Snyder, D.O. and authorized by Nena Peay, Claims Rep. at Workers' Comp by letter dated 08/21/2000, authoz. #100231133 regarding pain in the (L) shoulder.

INTRODUCTION:

Mr. Lester works as a truck driver for D&M Trucking. His date of injury was 03/10/2000; he has been off work since that date and states he has filed for disability Social Security. His attorney is Stuart Calwell. The last doctor he saw for this condition was Dr. Snyder, his PCP in Madison WV some time around 10/09/2000 for follow-up of his neck and back; to return in two weeks.

HPI & RECORD REVIEW:

Mr. Lester states that on 03/10/2000 he was at work when he fell off a truck, injuring his (L) shoulder, mid back and ribs: He apparently lost consciousness. He was taken to the e.r. at CGH where x-rays were taken and he was referred to HealthPlus; he was treated there for two weeks and was then referred to Dr. Snyder, his family physician who he saw on 04/07/2000. He was referred for PT treatments at Boone Mem. Hosp. which helped. He had the x-rays repeated on 08/30/2000 and a MRI was done on 09/12/2000. Dr. Snyder now requested this consultation regarding his (L) shoulder.

On review of the records there is an x-ray report of the cervical spine dated 03/10/2000 at CAMC and these are within normal limits. There is an x-ray of the (L) shoulder, same date and this was normal. X-rays of the lumbar spine, same date, are normal. CT-scan of the cervical spine, same date, showed no evidence of acute fracture or subluxation.

OVER.						

CHRISTOPHER W. LESTER

3340

BD:

WV WORKERS' COMP CLAIM #: 2000046841 DOI: 03/10/2000

10/17/2000 cont'd:

COMMUNICATION: SPEAK & WRITE - Pain in (R) arm with writing. POSTURE: STAND & SIT - He has pain in his back and (L) shoulder

and numbness of his (L) arm.

CARING FOR THE HOME & PERSONAL FINANCES - He has to have a bahysitter

for his children even though he is home.

WALK, TRAVEL 6 MOVE ABOUT - His knees give way and he has back pain.

RECREATIONAL & SOCIAL ACTIVITIES - None.

WORK ACTIVITIES - He is not working at the present time.

PAST INJURIES:

He states he had a previous injury to his thoracic spine in 1994

from a mobile home accident.

WORK HISTORY:

He has worked for D&M Trucking since October 1998. He has done

logging, mine supply delivery and worked in a hardware store.

WORK

DESCRIPTION: .

He hauls coal, climbs on a truck, changes tires, rolls and loads

tarp and pushes coal off.

EXAM:

On examination of the (L) shoulder he is walking with a cane in his (R) hand due to his other injuries. He is tender on palpation of the entire (L) shoulder, especially the rotator cuff. The grip strength is 60-55-55 kilograms in the (R) and 15-12-10 in the (L). The pinch strength is 8-8-8 kilograms in the (R) and 3-3-3 in the (L). The (R) upper arm measures 411 centimeters in circumference; the (L) is 40. The (R) forearm measures 33} centimeters in circumference; the (L) is 31. He is (R) handed.

Regarding the ROM of the (L) shoulder abduction is 50 degrees and adduction is 20; flexion is 40 degrees and extension is 30; internal rotation is 70 degrees and external rotation is 40. has a full ROM of his elbow and wrist with pain. He has numbness in the ulnar nerve territory with a positive Tinel sign in the (L) elbow. He has obvious weakness of abduction of his (L)

shoulder and pain in the rotator cuff area.

X-RAYS:

I reviewed x-rays taken at Boone Mem. Hosp. on 08/30/2000. The (L) AC joint is within normal limits and the (L) shoulder is

within normal limits.

DX:

It is my impression that due to the persistance of the pain, limitation of the ROM and weakness of abduction, he could have

a rotator cuff injury with tear.

OVER .....

CHRISTOPHER W. LESTER -3340 BD:

WV WORKERS' COMP CLAIM #: 2000046841 DOI: 03/10/2000

10/17/2000 cont'd: There is a report from Dr. Snyder dated 04/07/2000; his diagnosis was cervical and lumbar strain as well as (L) shoulder strain and contusion. He was placed on conservative care with Motrin, Flexeril and Vicodin and PT. There is another note from him dated 04/20/2000; pretty much the same. He was seen again on 04/26/2000; the same. On 05/10/2000 nothing had changed; he continued to have trouble with his shoulder. He was seen again on 05/24/2000 and was doing about the same. He was advised to continue with PT and an appt. was requested with me for evaluation of his (L) shoulder. There is another note dated 06/09/2000; to continue with the same treatment. On 06/21/2000 he was advised to discontinue the PT treatments. On 07/10/2000 he was awaiting the consultation with me; same for 07/31/2000. On 08/28/2000 he was scheduled to have a MRI done. He was seen again on 09/05/2000 and was doing the same. On 09/13/2000the report states a MRI and EMG were pending. On 09/26/2000 he stated the MRI was negative. On 09/29/2000 he refers to ongoing low back pain, anxiety and depression.

> I reviewed PT progress notes dated 04/20/2000 through 06/19/2000; these are signed by Tricia McClung, PT. The note dated 06/19/2000 states the patient continues to report neck, low back and (L) shoulder pain with no significant increase in the ROM.

> On 08/02/2000 he was evaluated by Saghir R. Mir, M.D. His recommendations were orthopaedic and neurosurgical consults as well as consult for pain management. He recommended PT for the neck, back and (L) shoulder and he deferred his impairment rating.

> I reviewed an x-ray report of the (L) shoulder taken at Boone Mem. Hosp. on 08/30/2000; this was done with and without weights and there was no evidence of AC separation.

I reviewed a report of a MRI done at Boone Mem. Hosp. on 09/12/2000; the cervical spine was normal and the lumbar spine was normal. Apparently there is an EMG pending; I do not have the report or know if it has even been done yet.

REVIEW OF SYSTEMS:

HEENT - He was involved in a motorcycle accident in 1987 and sustained a cerebral concussion and was unconscious for two days. PULMONARY - He has asthma.

OVER.......

CONTINUATION of RECORD on CHRISTOPHER W. LESTER

WV WORKERS' COMP CLAIM #: 2000046841 DOI: 03/10/2000

Page Two -3340 SS:

71 BD:

10/17/2000 cont'd: CARDIO CIRCULATORY - Negative. GASTROINTESTINAL - He has question of irritable bowel syndrome.

GENITOURINARY - Negative.

MUSCULOSKELETAL - Neck, back and (L) shoulder pain. NEUROPSYCHIATRIC - He was seen by Dr. Amores on 10/03/2000 for a consultation regarding his neck and back and he was told to have a strain.

He denies previous psychiatric treatment.

#### PRESENT CONDITION & COMPLAINTS:

He has pain in his (L) shoulder and numbness in his ring and little fingers and down the lateral aspect of his arm. He has shooting pain deep in the shoulder and he cannot apply pressure without pain. He has decreased ROM. He states he needs to use a cane in his (L) hand but is unable to. He has pain in his sholder blade up into his neck area.

#### **HEALTH & SOCIAL** HISTORY:

AGE: Twenty-eight. MARITAL STATUS: Married.

CHILDREN: Three.

High school graduate. EDUCATION:

ALCOHOL: No. TOBACCO: No.

GENERAL HEALTH: Good.

5\*8" HEIGHT:

284 lbs. WEIGHT:

METAL: None.

MEDICATIONS: Paxil, Ativan, Vicoden ES, OxyContin, Vioxx, Flexeril & Motrin.

ALLERGIES: None.

FAMILY PHYSICIAN: Dr. John Snyder.

He is (R) handed.

### DAILY LIVING ACTIVITIES:

SELF CARE & PERSONAL HYGIENE - He has difficulty going to the bathroom and unbuttoning his pants. EAT & PREPARE FOOD - He has trouble eating with his (L) hand; he is (R) handed.

OVER.....

### Luis A. Loimil, M.D.

CONTINUATION of RECORD on CHRISTOPHER W. LESTER

WV WORKERS' COMP CLAIM #: 2000046841 DOI: 03/10/2000

Page Three SS: BD:

10/17/2000 cont'd: Due to the inability to ascertain a tear of the rotator cuff on x-rays, I feel he needs to have a MRI done of the (L) shoulder. I will accept him in transfer for treatment of his (L) shoulder if that is what you want me to do and if this is authorized. please authorize the MRI. The plan of treatment will be determined after the results of the MRI are obtained.

REVIEW OF RECORDS:

In preparing this report I reviewed the following records:

- 1) X-ray, CT-scan & MRI reports from Boone Mem. Hosp. dated 03/10/2000, 04/10/2000, 08/30/2000 and 09/12/2000;
- 2) Records from Dr. Snyder dated 04/07/2000 through 09/29/2000;
  - 3) Dr. Mir's IME report, dated 08/02/2000.

This evaluation was done following the Rules & Regulations of WV Workers' Compensation, in the presence and with the cooperation Luis A. Loimil, M.D./dr of Tammy Hylenski, Med Tech.

NOTE:

11/16/2000 - Copy of report mailed to Workers' Comp and Dr. Snyder.

Luis A. Loimil, M.D.

Michael W. Harris, et al. STYLE OF CASE:

VS.

Purdue Pharma L.P., et al.

C-1-01-428 CASE NO:

**PERTAIN TO: Christopher Wayne Lester** 

> FROM: Intracorp

> > 3567 Pkwy. Lane, Suite 200

Norcross, GA 30092

(800) 367-5826

**DELIVER TO:** Mr. Phillip J. Smith

VORYS, SATER, SEYMOUR & PEASE, LLP

Atrium Two, Suite 2100 221 East Fourth Street Cincinnati, OH 45202

THE ENCLOSED DOCUMENTS CAN BE IDENTIFIED BY NUMBERS 500688112-0001 THROUGH 500688112-0002.

SOUTHEAST SERVICE CENTER 3567 PKWY LN STE 200 NORCROSS, GA 30092 (888) 440-7342



Filed 09/17/2003

12/01/2000

ACORDIA NATIONAL P 0 BOX 2451 CHARLESTON, WV 25329-2451 talddiadladhddiaddalathadladd

> CHRISTOPHER LESTER Patient: ACORDIA NATIONAL Payor: Plan Participant: APRIL LESTER 9969

Participant ss#: ( Policy #:

Employer: WV PEIA Case Reference #: 21583411

BOONE MEM HOSP Facility: 11/30/2000 Admit Date:

This impatient admission is subject to the Health Care Payor's Impatient Review prog

The admission has been authorized as medically necessary so this satisfies the requi program.

We may need to contact the treating physician periodically during the hospital stay patient's progress. Please notify us at the number below if there is any change in t date of admission or discharge so that we can review the date for contacting the tre accordingly.

The treating physician, health care payor, and hospital business office have been no determination. By contract with its customer, Intracorp must review all services and plan participants. Benefits are subject to eligibility requirements and contract lim be verified with the health care payor.

Sincerely,

DONNA COOK

C: APRIL LESTER JOHN SNYDER BOONE MEM HOSP

3567 PKWY LN STE 200 NORCROSS, GA 30092 (888) 440-7342 Attn:

SEPTEMBER 05, 2003COCCUCACORDIA NATIONAL P O BOX 2451 CHARLESTON, WV 253292451

CHRISTOPHER LESTERO Patient:

Payor:

ACORDIA NATIONAL

-9969□

Plan Participant: APRIL LESTERD Policy #:

Participant ss#: (

BOONE MEM HOSPO

Case Reference #: 215834110

Employer: Facility:

WV PEIAD

Admit Date:

11/30/2000

This inpatient admission is subject to the Health Care Payor's Inpatient Review program with Intracorp.

The admission has been authorized as medically necessary so this satisfies the requirements of the program.

We may need to contact the treating physician periodically during the hospital stay to discuss this patient's progress. Please notify us at the number below if there is any change in the scheduled date of admission or discharge so that we can review the date for contacting the treating physician accordingly.

The treating physician, health care payor, and hospital business office have been notified of this determination. By contract with its customer, Intracorp must review all services and treatments for plan participants. Benefits are subject to eligibility requirements and contract limitations and must be verified with the health care payor.

Sincerely,

APRIL LESTER JOHN SNYDER BOONE MEM HOSP